

EXHIBIT XX

FW: *Confidential: Fw: Privileged and Confidential

From: Patricia USA0493 Saunders/USAP/USA

To: Donna USA0007 Costa/USAP/USA

Date: Aug 28 2015 03:12:27 PM

Custodian information

Internal custodians (2)		
Included in search (1)	Donna USA0007 Costa/USAP/USA	Custodians who were included in the search.
Excluded from search (1)	Patricia USA0493 Saunders/USAP/USA	Potential custodians who were not included in the search, but whose email addresses were found on messages in the search results.
Total # of custodians (2)		

Metadata information

\$Abstract	FYI. She sent this earlier today. Sent with Good (www.good.com)
\$INetPrincipal	Patricia_Saunders@m-chem.com
\$MessageID	<OFE9D41FD7.85B4BD1D-ON85257EAF.00698441@LocalDomain>
\$Revisions	Aug 28 2015 03:12:32 PM Feb 08 2018 05:30:22 PM
\$UpdatedBy	Deborah USA8492 Williams/USAP/USA Good-US/Servers/USA
AltFrom	Patricia USA0493 Saunders/USAP/USA
AltSendTo	Donna USA0007 Costa/USAP/USA
DeliveredDate	Aug 28 2015 03:12:32 PM
EnterSendTo	Donna USA0007 Costa/USAP/USA
GdTrack	by USWF0398.1.6.17 08/28/2015 03:12:28 PM
INetFrom	Patricia_Saunders@m-chem.com
Logo	stdNotesLtr0
PRINCIPAL	Patricia USA0493 Saunders/USAP/USA
RouteServers	VAMC01/Servers/USA
RouteTimes	Aug 28 2015 03:12:32 PM Aug 28 2015 03:12:32 PM

FYI. She sent this earlier today.

Sent with Good (www.good.com)

-----Forwarded by Patricia USA0493 Saunders/USAP/USA on 08/28/2015 03:12:25 PM-----

-----Original Message-----

From : Jennifer USA0458 Fischman/USAP/USA
To : "Patricia Saunders" <Patricia_Saunders@m-chem.com>
cc :
Sent on :08/28/2015 11:45:32 AM EDT
Subject : *Confidential: Fw: Privileged and Confidential

Pat,
Sorry, I had meant to send this to you before I left for vacation. Please let me know when you would like to discuss. I am going to try and meet with Kelli today only to discuss the emails. We should discuss how we want to handle and document the paid leave for doctor appointments. Kelli "worked from home" on Wednesday this week and intends to do the same on Sept. 9 for another doctor appt. On Sept. 1, she requested to work from home too, after Scott has a procedure done.

Regards,
Jennifer

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----- Forwarded by Jennifer USA0458 Fischman/USAP/USA on 08/28/2015 11:41 AM -----

From: "Moss, Steven M." <smoss@Beneschlaw.com>
To: "Jennifer_Fischman@m-chem.com" <Jennifer_Fischman@m-chem.com>
Date: 08/10/2015 05:13 PM
Subject: Privileged and Confidential

Jennifer

As discussed, this email is a follow-up to our discussion of Friday afternoon. Below is written clarification and update of applicable law and some general advice as to managing the situation. I am happy to further discuss by telephone at your convenience as things further develop.

New York State and City Law.

In reviewing NY state law, there is no state FMLA statute applicable to private sector employers/employees. Consequently, you have no legal obligation to provide unpaid leave beyond that which the Company's own policy (if applicable) allows since you are not covered by FMLA.

You may already be aware that New York City passed a law last year that requires NYC employers to provide paid sick leave of up to 40 hours per year to employees working more than 80 hours a year in NYC. This applies to private sector employers who employ 5 or more employees (employers with less than 5 employees must provide 40 hrs of unpaid leave) and do not already provide employees with such a benefit. Paid sick leave may be taken for a wide range of health-related reasons, including to care for a family member. Again, this is a 40 hour a year maximum entitlement and should be considered and applied to any absences that qualify.

ADA Concerns.

Def 001123

As we discussed, allowing unpaid leave or a mutually agreeable reduced or intermittent work schedule may be a reasonable accommodation under the ADA (and NY state law) for an employee with a covered disability. However, an employer may require certain conditions for such leave so that it does not impose an undue hardship on the employer's business. The employer is also entitled to receive information from the employee's health care provider about the employee's medical condition in order to determine whether the employee has a legally protected disability, and if so, what type of accommodation may be possible.

How to proceed.

Here are my thoughts with respect to the individual we discussed. Prior to meeting with her, I advise reviewing her personnel file and past performance evaluations to see whether her attendance or any other performance concern has been an issue or addressed in the past. If so, you will want to reference this when you meet with her.

The key in addressing her excessive absenteeism is to separate the absenteeism related to her medical condition from the absenteeism due to everything else (and performance concerns). Meet separately to address her medical situation – the nature of her condition, whether she needs an accommodation and what may be feasible. Let her know that you are willing to try and accommodate her and her work schedule on account of her medical condition. Document this.

In a separate meeting, address her excessive absenteeism due to matters unrelated to her illness and any performance concerns. Let her know that her personal absences (unrelated to her illness) have become excessive, disruptive to the business and must stop. If she brings up her illness – tell her it's a separate matter and you are willing to accommodate her in that regard. Document this.

Best regards,
Steve

Steven M. Moss

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[IMAGE]